

Testimony of
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Homeland Security Bureau
before the
Subcommittee on Emergency Communications, Preparedness, and
Response
Committee on Homeland Security
United States House of Representatives
on
“Leveraging Mutual Aid for Effective Emergency Response”
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Chairman Cuellar, Ranking Member Dent, members of the Subcommittee, thank you for the opportunity to discuss law enforcement efforts to provide comprehensive response capabilities for all-hazard disasters in the United States.

I am Michael Ronczkowski, major of the Miami-Dade Police Department's Homeland Security Bureau and I am here on behalf of Director Robert Parker of the Miami-Dade Police Department and I am also representing the Major Cities Chiefs Association (MCC), whose members include the 56 largest police departments in the United States.

Law enforcement agencies have long participated in mutual aid agreements with other law enforcement and first responder agencies. We have developed strong relationships with fire and emergency management agencies like those on this panel. All of us agree on the necessity to develop robust mutual aid agreements with regional partners in advance of natural or man-made disasters. It is only through collaboration that we can effectively protect the public and provide timely and effective response. As far as we have come in developing regional mutual aid agreements since 9/11, the response to Hurricanes Katrina and Rita made it painfully clear that this country is missing a critical response capability – one focused on providing coordinated law enforcement services and support to regions severely impacted by natural disasters or terrorist attacks.

Like the fire service and the emergency management community as a whole, law enforcement rallied to provide our brothers in need with help regardless of the catastrophe. Dozens of police departments from around the country sent teams of officers and response equipment to Louisiana and Mississippi immediately following Katrina and Rita. Police were needed to maintain stability and to fulfill requests from search and rescue and fire teams for law enforcement escorts due to unrest in the most impacted areas. Upon arriving in the region, officers quickly discovered that almost all ability to provide basic public safety support was destroyed. Response capabilities were severely impacted and the ability to maintain basic law and order was compromised. Departments continued to send support in an ad hoc and uncoordinated fashion without any central coordinating entity, identified an needs skills, documentation, liability considerations, reimbursement and sustainment. Mission tasking and areas of responsibilities were often unclear. Skill sets and equipment graciously sent did not always meet the need on the ground. Incident commanders were left with a patchwork of personnel and equipment, often with varying capabilities and training and not knowing how long they will be available.

For weeks and months after the storm, local law enforcement agencies in the impacted areas struggled to maintain command and control. As response turned to recovery, local agencies continued to need support to provide essential public safety services, such as neighborhood patrols, crowd control, and custody operations. Advanced law enforcement capabilities were also lacking, including investigative, correctional, special weapons and tactics (SWAT) teams and bomb squads. As time progressed deployed personnel began to suffer from fatigue and stress from the harsh environment. Equipment began to fail and basic supplies needed to be refreshed. However, there was no formal mechanism to manage the deployment of resources over the entire period of the operation whether it was one week or one year.

Hurricanes Katrina and Rita demonstrated a critical gap in our nation's law enforcement response and sustainment capability. Collectively, the nation's local law enforcement agencies recognized we had a responsibility to address the void.

With the support of the Department of Homeland Security, namely the Federal Emergency Management Agency, an executive workshop was conducted in August 2007 to develop a general framework for a nationally deployable law enforcement response capability. Hosted by Sheriff Douglas Gillespie from the Las Vegas Metropolitan Police Department, members from the Major Cities Chiefs Association, Major County Sheriffs' Association and the National Sheriff's Association were joined by senior officials from DHS, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and the Federal Bureau of Investigation (FBI). Mr. Bourne was one of the participants and we appreciate his contribution and ongoing support.

The goal of the workshop was to discuss the concept of rapidly deployable teams of law enforcement officers capable of providing incident commanders with immediate and continual support in the wake of natural or man-made incidents. Coined Law Enforcement Deployment Teams (LEDTs), these teams would provide professional law enforcement resources to ensure the Nation's civil well-being in an all hazards environment.

The concept of having mobile teams of first responders is not new. The LEDT concept was inspired by the Urban Search and Rescue (US&R) program and the Disaster Medical Assistance Teams (DMAT). Both of these programs are comprised of teams of professional first responder that have received standardized training and supported by strategically placed caches of equipment. However, there is no law enforcement equivalent although the need and desire are clear.

Participants in the workshop developed a documented framework for the implementation of a national LEDTs program, to include the following:

- The program would be all-hazards – not just for disasters. LEDTs could be deployed for a hurricane, terrorist attack, or a special event where there is a credible or preserved threat.
- The program would be regional and consistent with the 10 FEMA regions, but not under the control of FEMA or DHS directly.
- Each LEDT would be scalable and comprised of no more than 500 state and local personnel, none of which would be Federal law enforcement.
- LEDTs would report to the local Incident Commander, consistent with the National Incident Management System and the Incident Command Structure.
- Teams would provide essential law enforcement support (e.g. patrol and crowd control) but also have the capability to provide advanced and specialized skills (e.g. SWAT).

- Each team would include related emergency support personnel capabilities such as emergency medical technicians, mental health specialist, and logistics support.
- Teams would be comprised of modular components, enabling individual components to be deployed.
- LEDTs would arrive at the disaster site with all necessary equipment as identified by the incident commander in concert with advance team recommendations – supplied by regional equipment caches that included standardized stock of law enforcement specific response equipment.
- A national database of LEDT capabilities would assist in the deployment of team and would also track equipment and training – allowing capability gaps to be identified and rectified.
- Existing caches of equipment could be leveraged and expanded to include law enforcement specific equipment.
- DHS programs that are currently supporting the establishment of interoperable communications and the distribution of response equipment, like the Commercial Equipment Direct Assistance Program (CEDAP). CEDAP is designed to “fill the gaps” in equipment among responders. Because CEDAP is not a grant, the local agencies receive their equipment directly from the federal government saving time and money. In the event of a regional response, interoperability of the CEDAP equipment will be an important aspect of mutual aid. We strongly support this easy to use Federal program and hope that Congress will increase its funding so that smaller agencies will be able to contribute to a mutual aid response.
- Partnership with the private sector would be brokered so that the LEDT program could leverage their extensive logistics and supply networks.
- FEMA’s resource typing and identification effort would be leveraged in developing standard capabilities and equipment requirements.
- Each LEDT would be self-sufficient, capable of sustained operations for no more than 14 days. The general consensus was that longer deployments would create prolonged stress for team members.
- Additional deployments would continue to be tailored to the change conditions on the ground as defined by the local incident commander.
- LEDTs would display uniform identification that is recognized by all authorities.
- Standardized credentials and certification in appropriate training and exercises would ensure that team members are interoperable.

- Policies and procedures for the LEDTs would leverage similar programs to the greatest extent possible and draw upon best practices nation-wide.
- The Emergency Management Assistance Compact (EMAC) would be used, including the recently adopted Law Enforcement Checklist. This provides a standardized request methodology that most local agencies are familiar. The LEDT program in use of EMAC is not looking to supersede existing intra-state mutual aid agreement, rather proving standardization for inter-state agreements.

The end product of the workshop is a report that identifies significant issues and law enforcement recommendations on how to structure a national LEDT program. This report represents the consensus of the nation's largest law enforcement agencies. It is currently being reviewed by FEMA and will be present it to this committee once finalized.

Yet to be resolved and defined in further detail are issues relating to liability, authority, reimbursement/funding and deputization. Major Cities Chiefs are opposed to federal deputization based on the limiting ability to enforce state and local laws and integrate within the jurisdiction of need. Congress should consider expanding or modifying the Stafford Act so that LEDTs related activities and equipment are recovered. As funding options are considered, the Chiefs and Sheriffs strongly encourage the implementation of a new funding source specifically for LEDTs and that existing grant programs are not supplanted.

This, however, is just the first step in the process. Law enforcement looks forward to working with DHS and the other Federal partners as the LEDT concept continues to be developed. As the committee members know, the 9/11 Commission Act of 2007 established the Office for State and Local Law Enforcement within DHS and calls on this new office to study the issue further. We look forward to collaborating with this office and other federal agencies.

Thank you for allowing me to speak on this important issue.